

State of South Dakota

SEVENTY-NINTH SESSION LEGISLATIVE ASSEMBLY, 2004

445J0407

SENATE ENGROSSED NO. **SB 84** - 02/02/2004

Introduced by: Senators Olson (Ed), Abdallah, Albers, Brown, de Hueck, Koetzle, and Sutton (Dan) and Representatives Hackl, Garnos, Schafer, Sebert, and Sigdestad

1 FOR AN ACT ENTITLED, An Act to require certain sellers and lessors of residential property
2 to disclose any knowledge of the existence of prior manufacturing of methamphetamines
3 and to provide for development of a disclosure form.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That chapter 43-32 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 In any hiring of a residential premises, any lessor who has actual knowledge of the existence
8 of any prior manufacturing of methamphetamines on the premises shall disclose that
9 information to any lessee or any person who may become a lessee. If the residential premises
10 consists of two or more housing units, the disclosure requirements provided by this section only
11 apply to the unit where there is knowledge of the existence of any prior manufacturing of
12 methamphetamines.

13 Section 2. That chapter 43-4 be amended by adding thereto a NEW SECTION to read as
14 follows:

15 In any selling of a residential premises, any seller who has actual knowledge of the existence



1 of any prior manufacturing of methamphetamines on the premises shall disclose that
2 information to any purchaser or any person who may become a purchaser.

3 Section 3. That chapter 36-21A be amended by adding thereto a NEW SECTION to read
4 as follows:

5 The commission shall develop a disclosure form, to be filled out by the seller, regarding a
6 purchaser's knowledge of the existence of any prior manufacturing of methamphetamines.